

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	Criminal No. 3:09-CR-249-D(02)
VS.	§	
	§	
MICHAEL BLAINE FAULKNER,	§	
	§	
Defendant.	§	

MEMORANDUM OPINION
AND ORDER

Defendant Michael Blaine Faulkner's ("Faulkner's") January 3, 2022 motion for reconsideration brought pursuant to Fed. R. Civ. P. 60(b) in support of a previous motion for compassionate release is denied.

Faulkner pleaded guilty under a Fed. R. Crim. P. 11(c)(1)(C) plea agreement to one count of conspiracy to commit wire and mail fraud, in violation of 18 U.S.C. § 1349 (18 U.S.C. §§ 1341 and 1343), and one count of obstructing justice by concealing assets, in violation of 18 U.S.C. § 1512(b)(2)(B). As the court noted in its December 2, 2021 memorandum opinion and order, Faulkner was involved in very serious criminal conduct; he had previously been convicted of a federal felony offense and violated his term of supervised release; he was sentenced to a term of imprisonment of 360 months and ordered to pay \$18,242,752.47 in restitution to numerous victims; and, absent his plea agreement with the government, he faced a sentence of 480 months in prison under the advisory sentencing guidelines. Ordering him to be released more than 13 years before he would otherwise be

eligible, and after he has served just over half of his sentence, would not be in the interest of justice, would minimize the seriousness of his crime, and would fail to afford adequate deterrence to this type of criminal conduct. Faulkner has not persuaded the court in his motion for reconsideration that it improperly considered any of these 18 U.S.C. § 3553(a) factors or that it improperly weighed them when deciding to deny his motion.

The court therefore concludes for these and the other reasons set out in its December 2, 2021 memorandum opinion and order that it should not grant Faulkner compassionate release under 18 U.S.C. § 3582(c)(1)(A). His motion for reconsideration is therefore denied.

SO ORDERED.

January 13, 2022.


SIDNEY A. FITZWATER
SENIOR JUDGE